

**BY-LAW NO. 1-19-01**  
**A BY-LAW OF THE MUNICIPALITY OF ROTHESAY**  
**To Direct the Undertaking of Hard Surfacing of the Roadway Known as Mulberry Lane as a Local Improvement**

The Council of Rothesay, under authority vested in it by the Local Governance Act (S.N.B. 2017, c-18) and amendments thereto (the 'Act') and pursuant to By-law 1-19 'A By-law Describing The Procedure for Directing the Undertaking of a Work as A Local Improvement' enacts as follows:

**1. TITLE**

This By-law may be cited as the "Mulberry Lane Local Improvement By-law".

**2. INTERPRETATION**

In this By-law, unless the context otherwise requires;

- a. words in this By-law which are defined in the Act, and amendments thereto, have the meaning as defined in the Act;
- b. words in this By-law which are defined in Rothesay By-law 1-19, "A By-Law Describing The Procedure for Directing the Undertaking of a Work as A Local Improvement" (the 'Local Improvement By-law'), and amendments thereto, have the meaning as defined in that By-law;
- c. "Council" means the Mayor and Councillors of Rothesay;

**3. DEFINITION OF THE WORK**

The work to be undertaken under the authority of this By-law is the acquisition of the road right of way and the hard surfacing of the roadway known as Mulberry Lane in Rothesay, together with required appurtenances thereto. Council has determined this Work is necessary in the interests of the property owners listed in Schedule 'A'.

**4. BENEFITTING PROPERTIES**

Council has determined that the properties principally benefitting from the carrying out of the work are those properties listed in Schedule 'A' to this By-law.

**5. ESTIMATE OF COSTS OF THE WORK**

The cost of the Work includes legal, survey, land acquisition, engineering and construction, including placement of asphalt base and seal courses. The estimated costs are as shown in Schedule 'B'. The final cost shall be determined by the Director of Operations upon completion of the work and it is these costs which will be used to calculate the charges to the benefitting properties.

**6. MUNICIPAL CONTRIBUTION**

In addition to the charge to the property owned by the Town known as Stuart Dobbin Park, the Town shall contribute eleven thousand dollars (\$11,000) to the cost of the Work in recognition of maintenance costs that would otherwise be incurred by the Town.

**7. ALLOCATION OF COSTS**

Costs for the Work are to be allocated in accordance with Schedule 'C'. Council authorizes the Clerk and Treasurer to raise the cost set out in said Schedule by special assessment collected over no more than twenty (20) years.

**8. ADMINISTRATION**

The Clerk and Treasurer are hereby authorized and directed to issue such notices and take such steps as are required by the Act and By-law 1-19.

Council further authorizes the Work be carried out as part of the Town resurfacing program.

**9. EFFECTIVE DATE**

This By-law comes into effect on the date of final enactment thereof.

FIRST READING BY TITLE 12 August 2019

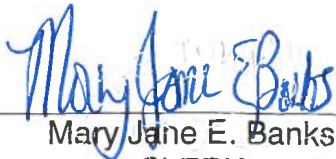
SECOND READING BY TITLE 12 November 2019

(Advertised as to content on the Rothesay website in accordance with the *Local Governance Act* S.N.B. (2017) Chapter 18) 19 September 2019

BY-LAW SUMMARY READ: 12 November 2019

THIRD READING BY TITLE AND ENACTMENT 12 November 2019

  
\_\_\_\_\_  
Nancy Grant  
MAYOR

  
\_\_\_\_\_  
Mary Jane E. Banks  
CLERK

Schedule A – Affected Properties

*Handwritten:*  
 12 November 2019

Civic	Street	Property Account #	Property Identifier
1	Mulberry Lane	1239513	30133516 245308
3	Mulberry Lane	1239521	30333074
5	Mulberry Lane	1239539	96040 245324
7	Mulberry Lane	1240190	30091045 30107817 246009
9	Mulberry Lane	6321991	30304695
11	Mulberry Lane	6322010	30304703
8	Mulberry Lane	4820711	30167712
6	Mulberry Lane	1245996 1246007	64451 154138 30008965 173005
4	Mulberry Lane	5289895 5866370	30197826 99101
2	Mulberry Lane	5866362	99135 99093 99085
40	Cameron Road	5866354	99143 245290

My MF 12 November 2019

### Schedule B – Cost Estimates

line	Description	Estimated Cost
1	Land Acquisition	7,500
2	Legal & Survey	5,000
3	Engineering	2,800
4	Construction	48,500
5	Contingency	5,000
6	Subtotal	68,800
7	plus HST	10,320
8	less HST Rebate	7,370
9	Total	71,750
10	less Town contribution	11,000
11	GRAND TOTAL	\$60,750

*My MB*  
*12/11/19*

**Schedule C – Costs To Be Charged to Properties**

	Civic	Street	Property Account #	Cost	Annual
<b>A</b>	1	Mulberry Lane	1239513	\$5,520	\$350.
<b>B</b>	3	Mulberry Lane	1239521	\$5,520	\$350.
<b>C</b>	5	Mulberry Lane	1239539	\$5,520	\$350.
<b>D</b>	7	Mulberry Lane	1240190	\$5,520	\$350.
<b>E</b>	9	Mulberry Lane	6321991	\$5,520	\$350.
<b>F</b>	11	Mulberry Lane	6322010	\$5,520	\$350.
<b>G</b>	8	Mulberry Lane	4820711	\$5,520	\$350.
<b>H</b>	6	Mulberry Lane	1245996, 1246007	\$5,520	\$350.
<b>I</b>	4	Mulberry Lane	5289895, 5866370	\$5,520	\$350.
<b>J</b>	2	Mulberry Lane	5866362	\$5,520	\$350.
<b>K</b>	40	Cameron Road	5866354	\$5,520	\$350.
				\$60,750	\$4,500.